

BOULT  
CUMMINGS  
CONNERS  
& BERRY  
PLC

Henry Walker  
(615) 252-2363  
Fax: (615) 252-6363  
Email: hwalker@bccb.com

LAW OFFICES  
414 UNION STREET, SUITE 1600  
POST OFFICE BOX 198062  
NASHVILLE, TENNESSEE 37219

August 3, 2000

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REGULATORY AUTH.  
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OFFICE OF THE  
EXECUTIVE SECRETARY  
TELEPHONE (615) 244-2582  
FACSIMILE (615) 252-2380  
INTERNET WEB <http://www.bccb.com/>

Mr. David Waddell  
Executive Secretary  
Tennessee Regulatory Authority  
360 James Robertson Parkway  
Nashville, TN 37201

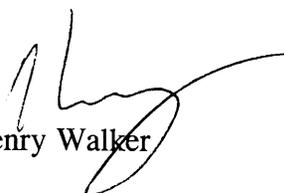
Re: Tariff Filings by all Telephone Companies Regarding Reclassification of  
Pay Telephone Service as Required by FCC Order 96-439  
Docket No. 97-00409

Dear Mr. Waddell:

Please accept for filing the original and thirteen copies of Tennessee Payphone  
Owners Association's objection to the Hearing Officer's Order dated July 31, 2000 in the above-  
captioned proceeding.

Very truly yours,

BOULT, CUMMINGS, CONNERS & BERRY, PLC

By:   
Henry Walker

HW/nl  
Enclosure  
c: Parties

POSTED  
7-8-00

BEFORE THE TENNESSEE REGULATORY AUTHORITY  
NASHVILLE, TENNESSEE

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EXECUTIVE SECRETARY

IN RE: ALL TELEPHONE COMPANIES TARIFF FILINGS REGARDING  
RECLASSIFICATION OF PAY TELEPHONE SERVICE AS REQUIRED BY  
FCC DOCKET 96-128  
Docket No. 97-00409

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OBJECTION OF TENNESSEE PAYPHONE OWNERS ASSOCIATION OF THE  
HEARING OFFICER'S ORDER OF JULY 31, 2000

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On July 31, 2000, Hearing Officer Lyn Greer issued an Order in the above-captioned proceeding. On August 1, 2000, the Tennessee Regulatory Authority ("TRA") announced that any objections to the Hearing Officer's report would be considered by the Authority at its next, regularly scheduled conference on August 15, 2000.

The Tennessee Payphone Owners Association ("TPOA") respectfully disagrees with the Hearing Officer's decision to classify TDS Telecom among the state's "small" local exchange carriers, rather than with the large carrier for purposes of establishing cost-based payphone rates. TPOA has no objections, however, to the other findings and conclusions of the Hearing Officer.

**Argument**

Reaffirming a decision of the Authority in 1997, the Hearing Officer has decided to maintain two, separate dockets for the purpose of fixing cost-based rates for payphone access lines. One docket (97-00409) will address payphone rates for the three local exchange carriers now operating under a price cap plan: BellSouth, United Telephone Southeast, and Citizens. The other docket (97-01181) will fix rates for the remaining, and generally smaller, LECs.

TPOA does not object to the Hearing Officer's decision to maintain two, separate dockets. TPOA asks, however, that TDS Telecom, be moved from the "small" LEC docket to the "large" LEC proceeding.

Although TDS consists of four, separate LECs, it is treated by the TRA as one company for ratemaking purposes. As one company, it is the third largest local telephone company in the state, slightly larger than Citizens and almost three times larger than Millington, the fifth largest carrier. The largest TDS affiliate in the state is Tennessee Telephone which, standing alone, is the state's fourth largest carrier and serves rapidly growing suburban areas south and east of Nashville. Another affiliate, Concord, serves a similar suburban area near Knoxville.

For purposes of this docket, there is no reason to treat Citizens differently than TDS. The fact that Citizens is under price cap regulation and TDS remains under rate-base regulation has nothing to do with fixing cost-based payphone rates. Moreover, although the "expense of preparing and producing cost studies" might be a burden for small LECs like Loretto, there is no reason to believe that such filings would be more of a burden for TDS than for Citizens. Finally, it should be noted that the payphone line rates currently charged by Tennessee Telephone are exorbitantly high, as much as \$100 per month for a single "POTS" type line. Rates that appear so clearly inconsistent with federal law should not be tolerated any longer than necessary, especially in an economically thriving area where payphone competition could be, and ought to be, booming.

Therefore, TPOA asks that TDS be moved into docket 97-00409 along with BellSouth, United, and Citizens. A proceeding involving those four companies would encompass

97% of all local access lines in the state, including virtually every service area where competitive payphones are presently located.

The TPOA does not object to any other aspect of the Hearing Officer's July 31 Order.

Respectfully submitted,



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Henry Walker  
BOULT, CUMMINGS, CONNERS & BERRY, PLC  
414 Union Street, Suite 1600  
P.O. Box 198062  
Nashville, TN 37219  
(615) 252-2363  
Counsel for Tennessee Payphone Owners' Association

## CERTIFICATE OF SERVICE

I hereby certify that on August 3, 2000 a copy of the foregoing document was served on the parties of record, via U.S. Mail, addressed as follows:

Richard Collier, Esq.  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, Tennessee 37243-0505

T.G. Pappas, Esquire  
Bass, Berry & Sims  
2700 First American Center  
Nashville, Tennessee 37219-8888

James Wright, Esquire  
United Telephone-Southeast  
14111 Capitol Blvd.  
Wake Forest, NC 27587

Jon Hastings, Esquire  
Boult, Cummings, Conners & Berry  
414 Union Street, Suite 1600  
Nashville, Tennessee 37219-8062

Richard Tettlebaum, Esq.  
Citizens Telecom  
1400 16<sup>th</sup> St., NW, #500  
Washington, DC 20036

James P. Lamoureux  
AT&T Communications of the South Central  
States, Inc.  
1200 Peachtree Street  
Room 4060  
Atlanta, Georgia 30309

Val Sanford, Esquire  
Gullett, Sanford, Robinson & Martin  
230 Fourth Avenue North  
Third Floor  
Nashville, Tennessee 37219-8888

Guy M. Hicks, Esquire  
BellSouth Telecommunications, Inc.  
Suite 2101  
333 Commerce Street  
Nashville, Tennessee 37201-3300

Vincent Williams, Esq.  
Consumer Advocate Division of the Attorney  
General's Office  
426 5<sup>th</sup> Ave., North, 2<sup>nd</sup> Floor  
Nashville, TN 37243

Guilford F. Thornton, Jr., Esq.  
Stokes Bartholomew Evans & Petree  
Sun Trust Center  
424 Church St., Suite 2800  
Nashville, TN 37219-2386

  
Henry Walker